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NOTICE OF ALLOWANCE AND FEE(S) DUE

20427

7590

06/11/2009

RODMAN RODMAN
10 STEWART PLACE
SUITE 2CE
WHITE PLAINS, NY 10603

EXAMINER

MATTHEWS, TERRILL, HOWARD

ART UNIT

PAPER NUMBER

3653

DATE MAILED: 06/11/2009

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/598,708	11/13/2006	Geir Stang Haug	RR-633 PCT/US	9178

TITLE OF INVENTION: METHOD AND A DEVICE FOR TRANSPORTING IDENTIFIED PACKAGING UNITS

APPL. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$300	\$0	\$1810	09/11/2009

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. **PROSECUTION ON THE MERITS IS CLOSED.** THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN **THREE MONTHS** FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. **THIS STATUTORY PERIOD CANNOT BE EXTENDED.** SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail **Mail Stop ISSUE FEE**
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INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

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20427 7590 06/11/2009

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Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/598,708 11/13/2006 Geir Stang Hauge RR-633 PCT/US 9178

TITLE OF INVENTION: METHOD AND A DEVICE FOR TRANSPORTING IDENTIFIED PACKAGING UNITS

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$300	\$0	\$1810	09/11/2009

EXAMINER	ART UNIT	CLASS-SUBCLASS
MATTHEWS, TERRELL HOWARD	3653	209-552000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a **Customer Number is required.**

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1
(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2
3

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee
☐ Publication Fee (No small entity discount permitted)
☐ Advance Order - # of Copies _____

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
☐ Payment by credit card. Form PTO-2038 is attached.
☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. **Change in Entity Status** (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature _____ Date _____
Typed or printed name _____ Registration No. _____

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.**

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10/598,708	11/13/2006	Geir Stang Hauge	RR-633 PCT/US	9178
20427	7590	06/11/2009	EXAMINER	
RODMAN RODMAN 10 STEWART PLACE SUITE 2CE WHITE PLAINS, NY 10603			MATTHEWS, TERRELL HOWARD	
			ART UNIT	PAPER NUMBER
			3653	

DATE MAILED: 06/11/2009

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 55 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 55 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

Notice of Allowability**Application No.**

10/598,708

Examiner

Terrell H. Matthews

Applicant(s)

STANG HAUGE ET AL.

Art Unit

3653

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 5/27/2009.
2. ☒ The allowed claim(s) is/are 1-20.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date 11/06/2006
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

/Patrick H. Mackey/
Supervisory Patent Examiner, Art Unit 3653

DETAILED ACTION
EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Philip Rodman on 5/27/2009.

The application has been amended as follows:

In claim 1,

Line 24, "from the normal container position, to", has been inserted before "beyond"

Line 24, "and back", has been inserted before "discharge"

In claim 11,

Line 25, "thereat" has been changed to ----thereat;--- and "and wherein the transport container at a delivery location designated for an article is arrange to cooperate with a means at the delivery location for emptying the transport container in the course of rotating the container through a 360 degree angle about an axis of rotation thereof so as to discharge the article under the effect of gravity." has been inserted.

Claim 12 has been canceled

The following is an examiner's statement of reasons for allowance:

Claim 1 is allowable over the prior art of record because the teachings of the references taken as a whole do not show or render obvious the combination set forth, including: (1) a method for individually transporting articles of different type, size, weight, material or shape, to one delivery location of a plurality of delivery locations that is designated for the respective article, comprising: providing a plurality of article transporting containers with a container opening through which an article is discharged, arranging the transport containers to move successively in spaced relationship from each other along all points of a predetermined transport path with the container opening of each container normally positioned in an upwardly facing direction, providing each transport container with a respective axis of rotation, to permit controlled rotation, identifying each article as regards to its type of material, placing the identified articles one by one in a respective transport container, providing television camera inspection of the articles one by one from a location above the transport path, establishing via the camera inspection that just one article is placed or is present in a respective dedicated transport container, designating a delivery location for discharge of a contained articles from its transport container, causing the respective article to be discharged from its transport container to a collection or storage bin by rotating the transport container

about its axis of rotation in one direction from the normal container position to beyond the point of article discharge and back to the normal container position without contacting any other container during such rotation to enable said discharge of the article from container opening to be made under the effect of gravity.

Claim 3 is allowable over the prior art of record because the teachings of the references taken as a whole do not show or render obvious the combination set forth, including: (1) a method for individually transporting articles of different type, size, weight, material or shape, to one delivery location of a plurality of delivery locations that is designated for the respective article, comprising: providing a plurality of article transporting containers with a container opening through which an article is discharged, arranging the transport containers to move successively in spaced relationship from each other along all points of a predetermined transport path with the container opening of each container normally positioned in an upwardly facing direction, providing each transport container with a respective axis of rotation, to permit controlled rotation, identifying each article as regards to its type of material, placing the identified articles one by one in a respective transport containers, designating a delivery location for discharge of a contained article from its transport container, discharging the respective article at its designated delivery location from its transport container to a collection or storage bin, said discharging provided by inverting the transport container by rotating the container in one direction through an angle of 360 about its axis of rotation without

contacting any other container so as to discharge the single article from the container opening under the effect of gravity.

Claim 4 is allowable over the prior art of record because the teachings of the references taken as a whole do not show or render obvious the combination set forth, including: (1) a method for individually transporting articles of different type, size, weight, material or shape, to one delivery location of a plurality of delivery locations that is designated for the respective article, comprising: providing a plurality of article transporting containers with a container opening through which an article is discharged, arranging the transport containers to move successively in spaced relationship from each other along all points of a predetermined transport path with the container opening of each container normally positioned in an upwardly facing direction, providing each transport container with a respective axis of rotation, to permit controlled rotation, identifying each article as regards to its type of material, placing the identified articles one by one in a respective transport containers, designating a delivery location for discharge of a contained article from its transport container, discharging the respective article at its designated delivery location from its transport container to a collection or storage bin, said discharging provided by inverting the transport container by rotating the container in one direction through an angle of 360 about its axis of rotation without contacting any other container so as to discharge the single article from the container opening under the effect of gravity, controlling the rotation of the transport container by providing a plurality of guide pins on the container, and selectively controllable guide

flap at the delivery location, and a stationary toothed engaging element at the delivery location, and causing further controlled rotation of the container by engaging at least one further guide pin on the container with the stationary toothed engaging element at the delivery location.

Claim 11 is allowable over the prior art of record because the teachings of the references taken as a whole do not show or render obvious the combination set forth, including: a device for individually transporting articles of different type, size, weight, material or shaped one delivery location of a plurality of delivery locations that is designated for the respective , comprising: an endless transport path traversing a plurality of delivery locations, a plurality of article transport containers being arranged to move successively in spaced apart relation from each other along all points of the transport as an endless, moving row of containers, movable past the plurality of delivery locations, means for placing articles, one by one, in respective transport containers, an article recognition means, at least one television camera which is located at a second location proximate the transport path to inspect the articles to establish that just one article is placed or is present in a respective dedicated transport container, a container actuating means for causing removal of an article from its container, said actuating means having one state capable of entering into an activated position related to a designated delivery location for an identified article, to cooperate with a respective transport container so as to cause removal of the identified article, said respective ones of said actuating means having a second state controllable to be in an inactive position

to selectively allow a container to pass the delivery location related to said respective actuating means without causing removal of article from container while container contains an article not designated for delivery thereat, and wherein the transport container at a delivery location designated for an article is arranged to cooperate with a means at the delivery location for emptying the transport container in the course of rotating the container through a 360 angle about its axis of rotation without contacting any other container so as to discharge the single article from the container opening under the effect of gravity.

Claim 13 is allowable over the prior art of record because the teachings of the references taken as a whole do not show or render obvious the combination set forth, including: a device for individually transporting articles of different type, size, weight, material or shaped one delivery location of a plurality of delivery locations that is designated for the respective , comprising: an endless transport path traversing a plurality of delivery locations, a plurality of article transport containers each having an axis of rotation and an opening through which an article is discharged, and being oriented such that the container opening is normally positioned in an upwardly facing direction, the transport containers being arranged to move successively in spaced apart relation from each other along all points of the transport path as an endless, moving row of containers, movable past the plurality of delivery locations, means for placing the articles, one by one in respective transport containers, article recognition means at a first location proximate the transport path, a container actuating means for discharging

ht respective article at its designated delivery location, said container actuating means for discharging the respective article further including means for causing the transport container to rotate in one direction through an angle of 360 degrees about an axis of rotation without contacting any other container, so as to discharge the single article from the container opening under the effect of gravity.

Claim 14 is allowable over the prior art of record because the teachings of the references taken as a whole do not show or render obvious the combination set forth, including: a device for individually transporting articles of different type, size, weight, material or shaped one delivery location of a plurality of delivery locations that is designated for the respective , comprising: an endless transport path traversing a plurality of delivery locations, a plurality of article transport containers each having an axis of rotation and an opening through which an article is discharged, and being oriented such that the container opening is normally positioned in an upwardly facing direction, the transport containers being arranged to move successively in spaced apart relation from each other along all points of the transport path as an endless, moving row of containers, movable past the plurality of delivery locations, means for placing the articles, one by one in respective transport containers, article recognition means at a first location proximate the transport path, a container actuating means for discharging ht respective article at its designated delivery location, said container actuating means for discharging the respective article further including means for causing the transport container to rotate in one direction through an angle of 360 degrees about an axis of

rotation without contacting any other container, so as to discharge the single article from the container opening under the effect of gravity, said container actuating means further including a plurality of guide pins on the container, a movable guide flap at the delivery location movable to an engagement position, and a stationary toothed engaging element at the delivery location for controlling the rotation of the transport container, at least one of the guide pins being engageable with the movable guide flap at the delivery location, when the guide flap is moved to the engagement position to cause an initial turning of the container, and at least one additional guide pin on the container being configured to cooperate with the toothed engaging element at the delivery location to effect further controlled rotation of the transport container.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Terrell H. Matthews whose telephone number is (571)272-5929. The examiner can normally be reached on M-F 8am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Mackey can be reached on (571) 272-6916. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Patrick H. Mackey/
Supervisory Patent Examiner, Art
Unit 3653

/Terrell H Matthews/
Examiner, Art Unit 3653